

Message Text

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ACTION EA-06

INFO OCT-01 SS-14 ISO-00 TRSE-00 L-01 SCA-01 SCS-01 /024 W

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R 030840Z MAY 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC 4623

LIMITED OFFICIAL USE MANILA 6077

LIMDIS

E.O. 11652: N/A

TAGS: EFIN, RP

SUBJECT: ESTATE OF LINNIE JEAN HODGES

REF: STATE 097603

1. TOLEDO HAS INFORMED EMBASSY OFFICER THAT THERE ARE STILL SOME FACTS WHICH HIS AGENCY (BUREAU OF INTERNAL REVENUE) WISHES TO CLARIFY BEFORE TAKING A DEFINITIVE POSITION ON THE CHECK BEING HELD BY THE USG. REVENUE ATTACHE PASCUAL M. CASTILLO, WHO IS PRESENTLY IN MANILA ON CONSULTATIONS, HAS BEEN INSTRUCTED TO SEEK THIS CLARIFICATION UPON HIS RETURN TO WASHINGTON, WHICH SHOULD BE WITHIN THE WEEK.

2. ACCORDING TO TOLEDO, A MEMO HAS BEEN DRAFTED FROM BIR COMMISSIONER PLANA TO FINANCE SECRETARY VIRATA, STATING THAT THE CIRCUMSTANCES SURROUNDING PAYMENT OF THE ESTATE'S TAXES IN 1966 ARE NOT YET CLEAR; THAT IS, WHETHER IT WAS A PAYMENT BY THE HEIRS IN ORDER TO ACCOMMODATE OR RELIEVE THE ASSESSMENT, OR WHETHER IT WAS IN THE NATURE OF AN ADVANCE PAYMENT IN ORDER TO FORESTALL PENALTIES. ACCORDING TO TOLEDO, PLANA IS INCLINED TO THINK THAT IN THE FORMER CASE, THE ENTIRE AMOUNT SHOULD BE RETURNED TO THE PHILIPPINES, WHILE IN THE LATTER, THE RETURN OF A PORTION AND REMITTANCE OF THE REMAINDER TO THE REPRESENTATIVES OF THE ESTATE SEEMS REASONABLE.

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3. IN THE COURSE OF SORTING THIS OUT, IT HAS COME TO

PLANA'S ATTENTION THAT FULL SETTLEMENT OF THE ESTATE
REMAINS UNRESOLVED IN THE PHILIPPINE COURTS. HE HAS
DIRECTED THE LEGAL DEPARTMENT OF THE BIR TO
DETERMINE WHY LEGAL ACTION REMAINS PENDING AT THIS LATE
DATE, AND TO BRING IT TO RESOLUTION AS SOON AS POSSIBLE.
TOLEDO WAS CONFIDENT THAT ALL ASPECTS OF THE CASE WOULD
NOW MOVE SWIFTLY TOWARD CONCLUSION.
SULLIVAN

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